

**Before the
Federal Communications Commission
Washington, DC 20554**

| | | |
|--------------------------------|---|---|
| In the Matter of |) | WT Docket No. 02-55 |
| |) | |
| Improving Public Safety |) | Licensee Name Harford County, MD |
| Communications in the |) | Call Sign WQAL459 et al. |
| 800 MHz Band |) | |

To: Public Safety and Homeland Security Bureau, Federal Communications Commission

**HARFORD COUNTY, MARYLAND WAIVER REQUEST FOR
COMPLETION OF 800 MHZ REBANDING**

Request for Confidential Treatment of Attachment Included

By Order dated March 31, 2010 (*Improving Public Safety Communications in the 800 MHz Band*; WT Docket No. 02-55, Order, DA 10-574 (PSHSB) rel. March 31, 2010 (“Order”), the Commission directed 800 MHz licensees whose rebanding was not completed by October 1, 2010, and was dependent upon the rebanding schedules of adjacent or overlapping systems, and were proposing to complete rebanding in the 2010-2012 time frame to submit a further request for waiver seeking additional time.

Specifically, the County requested until December 2012 to complete 800 MHz rebanding of all of the County systems and equipment, perform all clean-up activities and close the contracts.

On March 31, 2010, the Commission granted a partial waiver until October 1, 2010 to either complete rebanding or submit a further request for waiver seeking additional time. Since rebanding has not been completed, this filing is a request for a waiver seeking additional time.

The public interest would be served by granting the extension because it would allow the County to reconfigure its two 800 MHz systems in a reasonable, prudent, safe and timely manner consistent with the goals of the 800 MHz rebanding program. A Waiver Request Information Form attached to this filing

which summarizes and updates milestone and durations for the two Frequency Relocation Agreements (“FRA”) with Sprint Nextel and the two Motorola contracts required to complete the County’s 800 MHz rebanding implementation. The milestones and durations are also developed with respect to the schedule of the Central Maryland Area Regional Communications (“CMARC”) interoperable licensees.

This request and attachments provide explanation for not having completed the reconfiguration effort as well as definition of plans to continue the reconfiguration effort which is consistent with the assertion that a grant of the waiver would serve the public interest.

In previous extension requests, the County has explained that it operates a public safety 800 MHz multi-site trunked simulcast voice system and a multi-site conventional, non-trunked, mutual aid system which utilizes the five NPSPAC national mutual aid frequencies. These two systems provide trunked and conventional interoperable communication capabilities with other 800 MHz licensees. The mutual aid system is wide-area network funded by federal grants and operated cooperatively among the State of Maryland and the members of the CMARC licensees, which includes Anne Arundel County, Baltimore City, Baltimore County, Baltimore-Washington International Airport (Maryland Aviation Administration), Carroll County, Harford County and Howard County. Each CMARC licensee operates their own trunked system along with six of the licenses operate their respective sites comprising the shared CMARC mutual aid network. The County’s subscriber units are equipped to intra-operate across the County’s trunked system and the CMARC mutual aid network and are interoperable on the Baltimore County trunked system.

The County recognizes that the Commission has noted: “Requests for extension will be subject to a high level of scrutiny. Licensees will be expected to demonstrate that they have worked diligently and in good faith to complete rebanding expeditiously, and that the amount of additional time requested is no more than is reasonably necessary to complete the rebanding process.” The County believes that a grant of this request is justified, because the County has been diligent in proceeding through the rebanding process, the County must compete with other public safety licensees for the resources of Motorola as a

contractor, and the complexity of its system and the need for CMARC regional coordination have made it impossible to complete the rebanding process by October 1, 2010.

The County as part of the CMARC Region has worked in cooperation with Nextel, Motorola and the interoperable licensees of the CMARC region to develop complete cost estimate for the systems and equipment operated by the County. The County remains actively engaged in the rebanding process. Monthly meetings are being held among the CMARC jurisdictions; and Sprint and the TA are being kept informed and attend meetings when needed. Keeping these lines of communication open should facilitate and hasten the conclusion of implementation schedules specifically for the County and among the other CMARC licensees.

Recent activities:

1. The County has completed site preparation for installation of the national mutual aid equipment.
2. National mutual aid equipment is on order and is expected to be operational in November 2010.
3. The County anticipates subscriber radio programming to begin in December 2010.

Estimate of implementation milestones requested by the Commission

The attachments provide details of implementation activities and completion dates to support the requested extension. A comprehensive Master CMARC Regional Implementation Schedule will slot the individual project tasks to address interoperations, avoidance of disruptions and contractor resources among the CMARC licensee projects as well as the relationships to the non-CMARC rebanding projects which also impact, and are impacted by, the CMARC licensee's reconfiguration. Those projects include adjacent Counties which interoperate with one or more CMARC licensees and are part of the National Capital Region ("NCR") 800 MHz reconfiguration project.

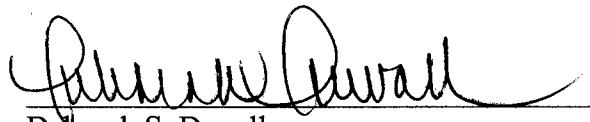
Conclusion

The County remains actively engaged in the 800 MHz reconfiguration process and submits that the schedule in this extension request is reasonable and constitutes the minimum amount of time necessary to complete the complex and substantial planning and implementation effort required under the circumstances in order to not compromise public safety during the physical reconfiguration effort.

Request for Confidentiality

Finally, the County seeks confidential treatment of its system information, pursuant to Section 0.459 of the FCC's Rules, because the information contained therein is highly sensitive regarding the operations of a public safety organization's communications system. Furthermore, the information contained in the form is not otherwise publicly available. The Licensee consents to the disclosure of the form to the 800 MHz Transition Administrator ("TA") and Sprint-Nextel and requests that they treat the form as confidential.

Respectfully Submitted,



Deborah S. Duvall
Senior Assistant County Attorney



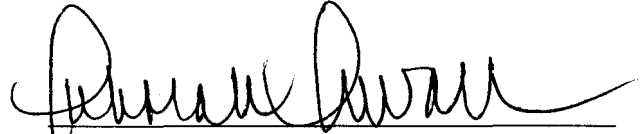
Margaret Hartka
Senior Assistant County Attorney

Attorneys for Harford County, Maryland

September 29, 2010

Certificate of Service

The foregoing was filed with the FCC through the electronic comment filing system, ECFS, on this 29th day of September 2010 and copies were simultaneously submitted via e-mail to the FCC at PSHSB800@fcc.gov, to the 800 MHz Transition Administrator at Waivers@800ta.org and to Sprint at 800MHz@sprint.com.

A handwritten signature in black ink, appearing to read 'Deborah S. Duvall', written over a horizontal line.

Deborah S. Duvall

Senior Assistant County Attorney